

**"JUSTICE IS THE PEOPLE'S PROJECT: DO NOT DELAY"**

**Speech of H.E. President Fidel V. Ramos  
Philippine Bar Association  
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**INTRODUCTION**

FORGIVE ME IF I MAKE MYSELF COMFORTABLE: I FEEL I AM AMONG FRIENDS. SO I WILL DISPENSE WITH THE USUAL RHETORICS AND GET DOWN TO BRASS TACKS.

I KNOW YOU PREFER AN ECONOMY OF WORDS TO AN ECONOMY OF IDEAS. AND I AM ANXIOUS TO SPEAK MY MIND TO YOU.

AFTER ALL, ONE DOES NOT OFTEN GET A CHANCE TO SPEAK TO A WHOLE GROUP OF ATTORNEYS -- WITHOUT FEAR OF BEING INTERRUPTED.

LAST JULY AT THE PHILIPPINE JUDGES ASSOCIATION CONFERENCE, I MAY HAVE NAGGED THE JUDICIARY ABOUT THE SLOW ADMINISTRATION OF JUSTICE. I AM SURE THE CHIEF JUSTICE IS WORRIED ABOUT A REPEAT PERFORMANCE TONIGHT.

BUT I CANNOT HELP IT. DELAYED JUSTICE IS ONE OF MY GREATEST ANXIETIES. I AM ANXIOUS TO FIND WAYS OF SPEEDING UP THE JUDICIAL PROCESS, WITHOUT SACRIFICING THE QUALITY OF JUSTICE ITSELF.

MY APPROACH IS TWO-PRONGED: FIRST, THE EXECUTIVE DEPARTMENT MUST LEAD BY EXAMPLE; AND SECOND, I MUST PERSONALLY DESCRIBE WHAT I BELIEVE YOU MUST EMPHASIZE AS LAWYERS AND APPEAL THAT YOU BE PART OF IT.

YOU SEE, MY CONCEPT OF GOVERNMENT LIES LESS ON THE PRINCIPLE OF "FOLLOW THE LEADER" THAN ON THE PRINCIPLE OF "DO IT YOURSELF."

I HAVE LONG LEARNED THAT IN THE EXECUTIVE DEPARTMENT THERE ALSO EXISTS A SYSTEM OF ADJUDICATION. ADJUDICATION EXISTS IN ADMINISTRATIVE BODIES PERFORMING WHAT YOU CALL "QUASI-JUDICIAL FUNCTIONS."

TO LAYMEN, HEARING OFFICERS AND ADMINISTRATIVE TRIBUNALS ARE PRACTICALLY COURTS AND JUDGES AS WELL. I HAVE DIRECTED THAT THE EXECUTIVE DEPARTMENT STREAMLINE ITS OWN PROCEDURES, AND UNCLOG ITS OWN DOCKETS IN LINE WITH THE EFFORTS OF THE JUDICIAL DEPARTMENT.

I HAVE THREE INITIAL THINGS IN MIND.

ONE: I AM STUDYING THE ISSUANCE OF A DIRECTIVE INSTRUCTING ALL ADMINISTRATIVE AND QUASI JUDICIAL BODIES TO DECIDE ALL MATTERS PENDING BEFORE THEM WITHIN THIRTY (30) DAYS FROM THEIR SUBMISSION FOR RESOLUTION.

THIS DIRECTIVE WILL ALSO CONTAIN GUIDELINES FOR HEARING OFFICERS OR ADMINISTRATIVE TRIBUNALS WITH RESPECT TO SHORTENING THE PERIOD FOR THE RECEPTION OF EVIDENCE. THEY WILL BE EXPECTED TO CONTROL AND EXPEDITE HEARINGS. (ACTUALLY, THIS IS ALREADY CONTAINED IN THE ADMINISTRATIVE CODE OF 1987 IN BOOK VII, CHAPTER 3, SECTION 14; BUT NOBODY SEEMS TO HAVE READ THIS PROVISION.)

TWO: TO GIVE TEETH TO THIS DIRECTIVE, I PLAN TO WITHHOLD THE SALARIES OF SUCH OFFICERS WHO FAIL TO COMPLY WITH THIS 30-DAY DEADLINE. WE SHALL ADOPT THE MODEL OF THE DEPARTMENT OF JUSTICE, WHICH REQUIRES FISCALS TO CERTIFY THAT ALL MATTERS REFERRED TO THEIR DESKS MUST BE DISPOSED OF WITHIN 60 DAYS. NO CERTIFICATION, NO SALARY.

I UNDERSTAND THAT THE SAME THING GOES FOR OUR JUDGES. IT WOULD BE A WISE IDEA TO EXPAND A SIMILAR POLICY TO ALL OTHER ADMINISTRATIVE AGENCIES.

THIS WILL -- ONE HOPES -- PUT AN END TO THE PRACTICE OF SOME HEARING OFFICERS OR

ADMINISTRATIVE BODIES SITTING ON CASES FOR MONTHS, EVEN YEARS, LONG AFTER THE CASES HAVE BEEN SUBMITTED FOR RESOLUTION.

THREE: I PROPOSE TO INSTITUTIONALIZE THE USE OF DEPOSITIONS AND MAXIMIZE THE USE OF AFFIDAVITS IN ADMINISTRATIVE PROCEEDINGS TO REDUCE THE NUMBER OF HEARINGS AND AVOID POSTPONEMENTS. THESE WILL CUT DOWN ACTUAL TRIAL TIME.

IN SHORT, WHENEVER THE EXECUTIVE DEPARTMENT IS CALLED ON TO DISPENSE JUSTICE, I WANT IT DONE WITH DISPATCH. THAT IS MY FIRST APPROACH.

MY SECOND APPROACH IS AN APPEAL. I HAVE ALREADY SPOKEN TO SOME MEMBERS OF THE JUDICIARY ABOUT THE ILLS THAT PLAGUE THE JUDICIAL SYSTEM. I HAVE ALREADY DISCUSSED WITH THE CHIEF JUSTICE WHAT I INTEND TO DO TO HELP THE JUDICIARY EASE PROBLEMS OF DELAYS.

I HAVE PLEDGED TO THE JUDICIARY MY CONTINUING SUPPORT AND COMMITMENT TO THE IMPROVEMENT OF THE ADMINISTRATION OF JUSTICE.

I AM DETERMINED TO SEE THAT OUR PEOPLE BECOME SATISFIED WITH THE JUSTICE SYSTEM. THIS IS THE ONLY WAY THEY CAN APPRECIATE THE MEANING OF THE WORDS "THE RULE OF LAW."

BUT THAT, AS YOU KNOW, IS ONLY HALF THE PICTURE. THE OTHER HALF CONSISTS OF YOU THE PRACTITIONERS OF LAW. THERE IS NOTHING THE BENCH CAN DO IF IT DOES NOT HAVE THE WHOLEHEARTED SUPPORT OF THE BAR.

THE FACT IS THAT LAWYERS THEMSELVES OFTEN CAUSE DELAYS IN THE ADMINISTRATION OF JUSTICE. LET ME CITE A FEW FIGURES FROM JUSTICE MACEREN:

1. POSTPONEMENTS CAUSE 24% TO 63% OF THE DELAY IN THE TRIAL PERIOD OF CRIMINAL CASES AND FROM 15% TO 84% OF THE DELAY IN THE TRIAL PERIOD FOR CIVIL CASES.

2. POSTPONEMENTS CAUSED BY LAWYERS TOPPED THE LIST OF CAUSES FOR DELAYS.

LAWYERS ACCOUNT FOR 56% OF POSTPONEMENTS IN CRIMINAL CAUSES AND 72% IN CIVIL CASES.

3. AMONG THE FACTORS SUBSUMED UNDER LAWYER-CAUSED DELAYS WE FIND:

a. ABSENCES OF WITNESSES ACCOUNTED FOR 29% OF DELAYS IN CIVIL CASES AND 24% IN CRIMINAL CASES;

b. PROCEDURAL DEFECTS ACCOUNTED FOR 10% IN CIVIL CASES AND 19% IN CRIMINAL CASES; AND

c. ABSENCES OF LAWYERS ACCOUNTED FOR A HIGH 41% IN CIVIL CASES AND 40% IN CRIMINAL CASES.\*

THE LAST FIGURES DO NOT INCLUDE POSTPONEMENTS BY AGREEMENT OF THE PARTIES AS LAWYER-CAUSED DELAYS. IF IT DID, THE PERCENTAGES WOULD BE MUCH HIGHER. BUT I AM SURE YOU GET MY DRIFT.

THIS, THEN, IS MY FOREMOST APPEAL TO YOU AND YOUR COLLEAGUES. TO THOSE OF YOU IN THE LEGAL PROFESSION, THIS IS MY MESSAGE: (IN FACT, THIS MESSAGE SHOULD BE INSCRIBED ABOVE EVERY COURTROOM):

"JUSTICE IS THE PEOPLE'S PROJECT: DO NOT DELAY."

I AM NOT ABOUT TO LECTURE YOU ON HOW YOU SHOULD POLICE YOUR OWN RANKS AND CONDUCT YOUR OWN BUSINESS.

RIGHT HERE IN THIS ROOM SITS THE FINEST LEGAL MINDS IN OUR COUNTRY. I WILL NOT INSULT YOU BY DICTATING HOW BEST THE LEGAL PROFESSION SHALL ADDRESS ITSELF TO THE TASK.

NOW, I CHALLENGE YOU TO RISE UP TO IT. AND I KNOW MANY OF YOU HERE ALREADY HAVE.

MY SECOND CHALLENGE IS THIS: I ASK THAT YOU EMPHASIZE YOUR ROLES AS MEDIATORS RATHER THAN ADVOCATES. I ASK YOU TO USE YOUR SKILLS TO IRON OUT MISUNDERSTANDINGS, REDUCE DISPUTES, AND ENHANCE SOLIDARITY.

JUST AS I HAVE REACHED OUT TO ALL POLITICAL OPPONENTS AND MARGINALIZED SECTORS OF SOCIETY, I

ASK YOU TO REACH OUT TO OUR TROUBLED CITIZENS. HELP COAX OUR COUNTRYMEN TO COME TO AN AGREEMENT RATHER THAN BATTLE IT OUT IN COURT.

WITHIN YOUR OWN INDIVIDUAL SPHERES, ACT AS JUDGES AND METE OUT SOUND ADVICE TO YOUR QUARRELING NEIGHBORS. THIS WAY, LESS CASES WILL EVER SEE THE LIGHT OF DAY IN A COURT ROOM. THIS WAY, OUR JUDGES WILL HAVE MORE TIME TO DEVOTE TO THE TRULY DIFFICULT CASES.

MY FINAL APPEAL IS THIS: FACILITATE THE RELATIONSHIP BETWEEN GOVERNMENT AND THE ORDINARY CITIZEN. I HAD PLEDGED TO THE PEOPLE THEIR EMPOWERMENT. BUT THIS MEANS NOTHING IF GOVERNMENT IS REMOTE, INCOMPREHENSIBLE, AND CONFUSING.

LAWYERS ARE THE NATURAL PROFESSIONAL LINK BETWEEN THE VARIOUS ARMS OF GOVERNMENT AND THE PEOPLE. I ASK THAT YOU HELP US IN OUR EFFORTS TO BE RESPONSIVE TO THE NEEDS OF THE PEOPLE. IN THE COURSE OF YOUR WORK, MAKE REPRESENTATIONS ON BEHALF OF OUR CITIZENS WITH THE DIFFERENT GOVERNMENT AGENCIES. HELP SIMPLIFY AND FACILITATE PROCEDURE. MAKE THE BUREAUCRACY INTELLIGIBLE. THESE ARE SERVICES OFTEN TAKEN FOR GRANTED, BUT WHICH I KNOW ARE VITAL.

I CHALLENGE THE PHILIPPINE BAR AS A BODY TO DEVISE WAYS TO MAKE THE LAW AND THE ENTIRE STRUCTURE OF GOVERNMENT ACCESSIBLE TO THE PEOPLE.

I CALL ON YOUR INGENUITY AND CREATIVITY TO GIVE THE COMMON MAN "MORE IN LAW."

I HAVE HEARD THAT WALL STREET LAW FIRMS HAVE POOLED THEIR RESOURCES TO SET UP A LAW FIRM THAT SPECIALIZES SOLELY IN SERVING THE POOR AND THE DISPOSSESSED. THAT IS THE KIND OF PRIVATE SECTOR INITIATIVE THAT I HOPE TO ELICIT FROM YOU.

AS YOUR PRESIDENT, MY APPEALS TO YOU ARE AS WELL WITHIN YOUR CAPABILITIES TO ACHIEVE. THERE ARE ONLY THREE:

1. DO NOT DELAY.
2. MEDIATE MORE, ADVOCATE LESS.
3. BE GOVERNMENT'S LIAISON WITH THE PEOPLE.

WE STAND TOGETHER TONIGHT, INSPIRED BY THE COMMON DESIRE TO DO GOOD FOR COUNTRY AND PEOPLE. LET OUR BASIC FOR ACTION BE THE CONSENSUS THAT UNITY, SOLIDARITY AND TEAMWORK MUST PREVAIL.

LADIES AND GENTLEMEN, THANK YOU AND GOOD NIGHT.

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